

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 2/10/12
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**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

-----X
 IN RE STATE STREET BANK AND TRUST
 CO. FIXED INCOME FUNDS INVESTMENT
 LITIGATION

MDL No. 1945

-----X
 PRUDENTIAL RETIREMENT INSURANCE
 AND ANNUITY CO.,

Plaintiff,

07 **CIVIL** 8488 (RJH)

-against-

PARTIAL JUDGMENT

STATE STREET BANK AND TRUST
 COMPANY, et al.,

Defendants.

-----X

Whereas this Court having held a seven day bench trial on the issue of whether State Street breached its fiduciary duty to the Plans by (1) failing to manage the Bond Funds prudently, (2) failing to manage the Bond Funds solely in the interest of the Plans, and (3) failing adequately to diversify the Bond Funds' assets, and the matter having come before the Honorable Richard J. Holwell, United States District Judge, and the Court, on February 6, 2012, having rendered its Memorandum Opinion and Order finding that State Street breached its duty (1) to manage the Bond Funds prudently and (2) to diversify them so as to minimize the risk of large losses, finding that PRIAC failed to meet its burden of proving that State Street breached its duty of loyalty to the Plans, finding that State Street's breaches caused a loss to the Plans, and that PRIAC's calculation of damages is appropriate, denying State Street's motion for judgment on partial findings pursuant to Federal Rule of Civil Procedure 52(c), and that PRIAC is entitled to a payment from State Street in the amount of \$28,143,656 on these claims, it is,

ORDERED, ADJUDGED AND DECREED: That for the reasons stated in the


Court's Memorandum Opinion and Order dated February 6, 2012, State Street's motion for judgment on partial findings pursuant to Federal Rule of Civil Procedure 52(c) is denied; and PRIAC is entitled to a payment from State Street in the amount of \$28,143,656 on these claims.

Dated: New York, New York
February 10, 2012

RUBY J. KRAJICK

Clerk of Court

BY:



Deputy Clerk

THIS DOCUMENT WAS ENTERED
ON THE DOCKET ON _____